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Notice of Allowability

Application No.

10/551,214

Examiner

Pedro J. Cuevas

Applicant(s)

FUJIMOTO ET AL.

Art Unit

2834

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed on February 20, 2007.
2. ☒ The allowed claim(s) is/are 1-7 and 9-18.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as follows:

- in claim 1, line 3, insert --- a --- before "power generating unit is installed";
- in claim 1, line 10, delete "th" and insert --- the ---, and delete "fo" and insert --- of ---;
- in claim 1, line 12, delete "than" and insert --- in an ---;
- in claim 1, line 17, insert --- the --- before "blades";
- in claim 5, line 3, between "capable" and "generating", delete "to" and insert --- of ---.

2. The following is an examiner's statement of reasons for allowance.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Response to Arguments

3. Applicant's arguments, see pages 8-10, filed on February 20, 2007, with respect to claims 1-7 and 9-10 have been fully considered and are persuasive. The 35 U.S.C. § 102(b) and § 103(a) rejections of claims 1-7 and 9-10 have been withdrawn.

Allowable Subject Matter

4. Claims 1-7 and 9-18 are allowed.
5. The following is an examiner's statement of reasons for allowance.

The prior art of record, taken alone or in combination, does not teaches the construction of a water supply apparatus as described on and including all the disclosed limitations of:

independent claim 1, comprising:

a holder having a cylindrical portion with an arcuate cross section along the impeller and having a shaft support portion which supports a proximal end portion of the rotary shaft on a distal end portion of the cylindrical portion;

wherein:

the holder in the power generating unit is mounted on a peripheral surface of an opening portion formed in the apparatus body in a state that the shaft support portion is inserted into the inside of the flow passage from the opening portion, and

a clearance is formed between outer peripheries of the blades and an inner wall of the flow passage, and the clearance is set larger than a clearance between the outer peripheries of the blades and the cylindrical portion for forming a flow passage which does not receive a pressure loss attributed to the impeller; and

independent claim 11, comprising:

a holder having an axial proximal end and an axial distal end;

said holder including an axially extending cylindrical portion and a cover, said cylindrical portion extending from said holder distal end towards said holder proximal end, and said cover extending from said holder proximal end towards said holder distal end, said cylindrical portion including an axial opening;

said holder being removably mounted on a peripheral surface of an opening in the apparatus body so that:

said cover is disposed exterior to said body and said cylindrical portion is disposed within said body and extends perpendicularly through a water flow path, and

water flow is capable of flowing over an exterior surface of said cylindrical portion and into an interior of said cylindrical portion through said axial opening.

Dependent claims 2-7, 9-10 and 12-18 are considered allowable by their respective dependence on allowed independent claims 1 and 11.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion


6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See PTO-892.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Pedro J. Cuevas whose telephone number is (571) 272-2021. The examiner can normally be reached on M-F from 8:30 - 6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Darren Schuberg can be reached on (571) 272-2044. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Pedro J. Cuevas
April 4, 2007

